

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 21-00274-01-CR-W-DGK
)	
TERRY D. NADING,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

PENDING CHARGE: On August 16, 2023, the Grand Jury returned a four-count Superseding Indictment charging Defendant Terry D. Nading with possession with intent to distribute fentanyl (Count One), possession of a controlled substance- methamphetamine (Count Two), possession of firearms in furtherance of a drug trafficking crime (Count Three), and being a felon in possession of firearms (Count Four).

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Bradley Kent Kavanaugh and Michael Green
Case Agent: Joshua Davis, FBI Task Force Officer and KCPD Detective
Paralegal: Geoffrey Gorup or Scott Hammon
Defense: Michael James Crawford and possibly Molly Hastings for jury selection

OUTSTANDING MOTIONS: No outstanding motions.

TRIAL WITNESSES:

Government: 8–12 with stipulations; 12–14 without stipulations
Defendant: 2–3 witnesses, including the Defendant

TRIAL EXHIBITS:

Government: approximately 100–150 exhibits
Defendant: approximately 5–10 exhibits

DEFENSES: General denial.

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 4 days total

Government's case including jury selection: 3 day(s)

Defendant: 1 day(s)

STIPULATIONS: The parties have agreed to stipulations regarding interstate nexus, medical examiner testimony, and chain of custody. The parties are still discussing a stipulation as to the testimony of the forensic chemist who performed testing of the controlled substances.

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit Lists

Government: Proposed Witness List filed 8/11/23. **Due on or before November 21, 2023.**

Defendant: None filed. **Due on or before November 21, 2023.**

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, if required by the District Court, Voir Dire, Jury Instructions: Due on or before November 29, 2023.

Please Note: Jury instructions must comply with Local Rule 51.1

Motion in Limine: Due on or before November 29, 2023.

TRIAL SETTING: Criminal jury trial docket set for December 4, 2023.

Please note: The Government is flexible and can go on either week. Defense counsel would prefer the first week but can do either week.

IT IS SO ORDERED.

/s/ Lajuana M. Counts

LAJUANA M. COUNTS

UNITED STATES MAGISTRATE JUDGE